

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

IRENE EJOILE MARAH
5094 Cellini Drive
Chino Hills, CA 91709

Registered Nurse License No. 463751
Nurse Practitioner License No. 14927
Public Health Nurse Certification No. 53332

Respondent

Case No. 2008-110

OAH No. L-2008010860

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as it's Decision in the above entitled matter.

This Decision shall become effective on May 30, 2008.

IT IS SO ORDERED April 30, 2008.



President
Board of Registered Nursing
Department of Consumer Affairs

EDMUND G. BROWN JR., Attorney General
of the State of California
GREGORY J. SALUTE
Supervising Deputy Attorney General
BRIAN G. WALSH, State Bar No. 207621
Deputy Attorney General
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Attorneys for Complainant

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DEPARTMENT OF CONSUMER AFFAIRS
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In the Matter of the Accusation Against:

IRENE EJOILE MARAH
5094 Cellini Drive
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Registered Nurse License No. RN 463751
Nurse Practitioner Certification No. NP 14927
Public Health Nurse Certification No. PHN
53332

Respondent.

Case No. 2008-110

OAH No. L-2008010860

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
above-entitled proceedings that the following matters are true:

PARTIES

1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of
the Board of Registered Nursing (Board). She brought this action solely in her official capacity
and is represented in this matter by Edmund G. Brown Jr., Attorney General of the State of
California, by Brian G. Walsh, Deputy Attorney General.

2. Respondent Irene Ejoile Marah (Respondent) is represented in this
proceeding by attorney Mary Work, whose address is 1334 Park View Avenue, Suite 100,
Manhattan Beach, CA 90266.

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4. Additionally, on or about February 14, 1995, the Board issued Public Health Nurse Certification No. PHN 53332 to Respondent.

JURISDICTION

ADVISEMENT AND WAIVERS

8. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

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1 9. Respondent voluntarily, knowingly, and intelligently waives and gives up
2 each and every right set forth above.

3 **CULPABILITY**

4 10. Respondent admits the truth of each and every charge and allegation in
5 Accusation No. 2008-110.

6 11. Respondent agrees that her Registered Nurse License is subject to
7 discipline and she agrees to be bound by the Board 's imposition of discipline as set forth in the
8 Disciplinary Order below.

9 **CIRCUMSTANCES IN MITIGATION**

10 12. Respondent Irene Ejoile Marah has never been the subject of any prior
11 disciplinary action, and she is admitting responsibility at an early stage in the proceedings.
12 During settlement negotiations, she also provided the following documentary mitigation evidence
13 for the Board's consideration: (1) a copy of her resume, detailing her employment history and
14 professional accomplishments; (2) documentation of her advanced professional qualifications;
15 (3) a professional letter of recommendation from the Charge Nurse of the Community Hospital
16 of San Bernardino; and (4) and a professional letter of recommendation from a former nursing
17 colleague at St. Francis Medical Center in Lynwood, California.

18 **CONTINGENCY**

19 13. This stipulation is subject to approval by the Board of Registered Nursing.
20 Respondent understands and agrees that counsel for Complainant and the staff of the Board of
21 Registered Nursing may communicate directly with the Board regarding this stipulation and
22 settlement, without notice to or participation by Respondent or her counsel. By signing the
23 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
24 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
25 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
26 Order shall be of no force or effect. Except for this paragraph, it shall be inadmissible in any
27 legal action between the parties, and the Board shall not be disqualified from further action by
28 having considered this matter.

1 14. The parties understand and agree that facsimile copies of this Stipulated
2 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
3 force and effect as the originals.

4 15. In consideration of the foregoing admissions and stipulations, the parties
5 agree that the Board may, without further notice or formal proceeding, issue and enter the
6 following Disciplinary Order:

7 **DISCIPLINARY ORDER**

8 IT IS HEREBY ORDERED that the following licenses are revoked:

9 (1) Registered Nurse License No. RN 463751, issued to Respondent; (2) Nurse Practitioner
10 Certification No. NP 14927, issued to Respondent; and (3) Public Health Nurse Certification
11 No. PHN 53332 to Respondent. However, the revocations are stayed, and Respondent is placed
12 on probation for three (3) years with the following terms and conditions.

13 **Severability Clause.** Each condition of probation contained herein is a separate
14 and distinct condition. If any condition of this Order, or any application thereof, is declared
15 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other
16 applications thereof, shall not be affected. Each condition of this Order shall separately be valid
17 and enforceable to the fullest extent permitted by law.

18 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws.
19 A full and detailed account of any and all violations of law shall be reported by Respondent to
20 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of
21 compliance with this condition, Respondent shall submit completed fingerprint forms and
22 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted
23 as part of the licensure application process.

24 2. **Comply with the Board's Probation Program.** Respondent shall fully
25 comply with the conditions of the Probation Program established by the Board and cooperate
26 with representatives of the Board in its monitoring and investigation of the Respondent's
27 compliance with the Board's Probation Program. Respondent shall inform the Board in writing
28 within no more than 15 days of any address change and shall at all times maintain an active,

1 current license status with the Board, including during any period of suspension. Upon
2 successful completion of probation, Respondent's license shall be fully restored.

3 **3. Report in Person.** During the period of probation, Respondent shall
4 appear in person at interviews and/or meetings as directed by the Board or its designated
5 representatives.

6 **4. Residency, Practice, or Licensure Outside of State.** Periods of
7 residency or practice as a registered nurse outside of California shall not apply toward a reduction
8 of this probation time period. Respondent's probation is tolled, if and when she resides outside
9 of California. Respondent must provide written notice to the Board within 15 days of any change
10 of residency or practice outside the state, and within 30 days prior to re-establishing residency or
11 returning to practice in this state.

12 Respondent shall provide a list of all states and territories where she has ever been
13 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further
14 provide information regarding the status of each license and any changes in such license status
15 during the term of probation. Respondent shall inform the Board if she applies for or obtains a
16 new nursing license during the term of probation.

17 **5. Submit Written Reports.** During the period of probation, Respondent
18 shall submit or cause to be submitted such written reports, declarations, and verification of
19 actions under penalty of perjury, as required by the Board. These reports/declarations shall
20 contain statements relative to Respondent's compliance with all the conditions of the Board's
21 Probation Program. Respondent shall immediately execute all release of information forms as
22 may be required by the Board or its representatives.

23 Respondent shall provide a copy of this Decision to the nursing regulatory agency
24 in every state and territory in which she has a registered nurse license.

25 **6. Function as a Registered Nurse.** During the period of probation,
26 Respondent shall engage in the practice of registered nursing in California for a minimum of
27 24 hours per week for 6 consecutive months or as determined by the Board.

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1 For purposes of compliance with the section, "engage in the practice of registered
2 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or
3 work in any non-direct patient care position that requires licensure as a registered nurse.

4 The Board may require that advanced practice nurses engage in advanced practice
5 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the
6 Board.

7 If Respondent has not complied with this condition during the probationary term,
8 and Respondent has presented sufficient documentation of her good faith efforts to comply with
9 this condition, and if no other conditions have been violated, the Board, in its discretion, may
10 grant an extension of Respondent's probation period up to one year without further hearing in
11 order to comply with this condition. During the one year extension, all original conditions of
12 probation shall apply.

13 **7. Employment Approval and Reporting Requirements.** Respondent's
14 current employment as a Registered Nurse in labor and delivery at the Community Hospital of
15 San Bernardino, California is approved. However, Respondent shall obtain prior approval from
16 the Board before commencing any other employment, paid or voluntary, as a registered nurse.
17 Respondent shall cause to be submitted to the Board all performance evaluations and other
18 employment related reports as a registered nurse upon request of the Board.

19 Respondent shall provide a copy of this Decision to her employer and immediate
20 supervisors prior to commencement of any nursing or other health care related employment.

21 In addition to the above, Respondent shall notify the Board in writing within
22 seventy-two (72) hours after she obtains any nursing or other health care related employment.
23 Respondent shall notify the Board in writing within seventy-two (72) hours after she is
24 terminated or separated, regardless of cause, from any nursing, or other health care related
25 employment with a full explanation of the circumstances surrounding the termination or
26 separation.

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2 8. **Supervision.** Respondent shall obtain prior approval from the Board
3 regarding Respondent's level of supervision and/or collaboration before commencing or
4 continuing any employment as a registered nurse, or education and training that includes patient
5 care.

6 Respondent shall practice only under the direct supervision of a registered nurse
7 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative
8 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)
9 are approved.

10 Respondent's level of supervision and/or collaboration may include, but is not
11 limited to the following:

12 (a) Maximum - The individual providing supervision and/or collaboration is
13 present in the patient care area or in any other work setting at all times.

14 (b) Moderate - The individual providing supervision and/or collaboration is in
15 the patient care unit or in any other work setting at least half the hours Respondent works.

16 (c) Minimum - The individual providing supervision and/or collaboration has
17 person-to-person communication with Respondent at least twice during each shift worked.

18 (d) Home Health Care - If Respondent is approved to work in the home health
19 care setting, the individual providing supervision and/or collaboration shall have person-to-
20 person communication with Respondent as required by the Board each work day. Respondent
21 shall maintain telephone or other telecommunication contact with the individual providing
22 supervision and/or collaboration as required by the Board during each work day. The individual
23 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-
24 site visits to patients' homes visited by Respondent with or without Respondent present.

25 9. **Employment Limitations.** Respondent shall not work for a nurse's
26 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a
27 traveling nurse, or for an in-house nursing pool.

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1 Respondent shall not work for a licensed home health agency as a visiting nurse
2 unless the registered nursing supervision and other protections for home visits have been
3 approved by the Board. Respondent shall not work in any other registered nursing occupation
4 where home visits are required.

5 Respondent shall not work in any health care setting as a supervisor of registered
6 nurses. The Board may additionally restrict Respondent from supervising licensed vocational
7 nurses and/or unlicensed assistive personnel on a case-by-case basis.

8 Respondent shall not work as a faculty member in an approved school of nursing
9 or as an instructor in a Board approved continuing education program.

10 Respondent shall work only on a regularly assigned, identified and predetermined
11 worksite(s) and shall not work in a float capacity.

12 If Respondent is working or intends to work in excess of 40 hours per week, the
13 Board may request documentation to determine whether there should be restrictions on the hours
14 of work.

15 10. **Complete a Nursing Course.** Respondent, at her own expense, shall
16 enroll and successfully complete a course relevant to the practice of registered nursing no later
17 than six months prior to the end of her probationary term.

18 Respondent shall obtain prior approval from the Board before enrolling in the
19 course(s). Respondent shall submit to the Board the original transcripts or certificates of
20 completion for the above required course(s). The Board shall return the original documents to
21 Respondent after photocopying them for its records.

22 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with
23 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
24 amount of **four-thousand-six-hundred-seventy dollars (\$4,670.00)**. Respondent shall be
25 permitted to pay these costs in a payment plan approved by the Board, with payments to be
26 completed no later than three months prior to the end of the probation term.

27 If Respondent has not complied with this condition during the probationary term,
28 and Respondent has presented sufficient documentation of her good faith efforts to comply with

1 this condition, and if no other conditions have been violated, the Board, in its discretion, may
2 grant an extension of Respondent's probation period up to one year without further hearing in
3 order to comply with this condition. During the one year extension, all original conditions of
4 probation will apply.

5 **12. Violation of Probation.** If Respondent violates the conditions of her
6 probation, the Board after giving Respondent notice and an opportunity to be heard, may set
7 aside the stay order and impose the stayed revocation of Respondent's license.

8 If, during the period of probation, an accusation or petition to revoke probation
9 has been filed against Respondent's license or the Attorney General's Office has been requested
10 to prepare an accusation or petition to revoke probation against Respondent's license, the
11 probationary period shall automatically be extended and shall not expire until the accusation or
12 petition has been acted upon by the Board.

13 **13. License Surrender.** During Respondent's term of probation, if she ceases
14 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
15 probation, Respondent may surrender her license to the Board. The Board reserves the right to
16 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
17 take any other action deemed appropriate and reasonable under the circumstances, without
18 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent
19 will no longer be subject to the conditions of probation.

20 Surrender of Respondent's license shall be considered a disciplinary action and
21 shall become a part of Respondent's license history with the Board. A registered nurse whose
22 license has been surrendered may petition the Board for reinstatement no sooner than the
23 following minimum periods from the effective date of the disciplinary decision:

24 (1) Two years for reinstatement of a license that was surrendered for any
25 reason other than a mental or physical illness; or

26 (2) One year for a license surrendered for a mental or physical illness.

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ATTY GENERAL OFFICE

FEB-11-2008 14:29

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Mary Work. I understand the stipulation and the effect it will have on my Registered Nurse License, and Nurse Practitioner Certification, and Public Health Nurse Certification. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 2-15-08

Irene E. Marah
IRENE EJOILE MARAH
Respondent

I have read and fully discussed with Respondent Irene Ejoile Marah the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: _____

MARY WORK
Attorney for Respondent

ACCEPTANCE

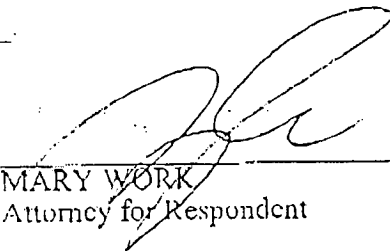
I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Mary Work. I understand the stipulation and the effect it will have on my Registered Nurse License, and Nurse Practitioner Certification, and Public Health Nurse Certification. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: _____

IRENE EJOILE MARAH
Respondent

I have read and fully discussed with Respondent Irene Ejoile Marah the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 2/15/08



MARY WORK
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: February 16, 2008

EDMUND G. BROWN JR., Attorney General
of the State of California

GREGORY J. SALUTE
Deputy Attorney General

Brian G. Walsh
BRIAN G. WALSH
Deputy Attorney General

Attorneys for Complainant

DOJ Matter ID: LA2006601233
60277151.wpd

Exhibit A
Accusation No. 2008-110

1 BILL LOCKYER, Attorney General
of the State of California
2 JENNIFER S. CADY
Supervising Deputy Attorney General
3 JOSEPH N. ZIMRING, State Bar No. 185916
Deputy Attorney General
4 California Department of Justice
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2559
6 Facsimile: (213) 897-2804

7 Attorneys for Complainant

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2008-110

12 IRENE EJOILE MARAH
5094 Cellini Drive
13 Chino Hills, CA 91709

OAH No.

A C C U S A T I O N

14 Registered Nurse License No. RN 463751
Nurse Practitioner Certification No. NP 14927
15 Public Health Nurse Certification No. PHN
53332

16 Respondent.
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18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Accusation
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,
22 California Department of Consumer Affairs.

23 2. On or about March 31, 1991, the Board of Registered Nursing issued
24 Registered Nurse License Number RN 463751 to Irene Ejoile Marah (Respondent). The
25 Registered Nurse License was in full force and effect at all times relevant to the charges brought
26 herein and will expire on April 30, 2007, unless renewed.

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3. On or about June 24, 2004, the Board issued Nurse Practitioner Certification Number NP 14927 to Respondent. The license will expire on April 30, 2007, unless renewed.

4. On or about February 14, 1995, the Board issued Public Health Nurse Certification Number PHN 53332 to Respondent. The license will expire on April 30, 2007, unless renewed.

JURISDICTION

5. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise stated.

6. Section 2750 provides that every licensee may be disciplined.

7. Section 2761 provides that the Board may take disciplinary action against a nurse for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions.

(d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violating of, or conspiring to violate any provision or term of the Nursing Practice Act or regulations adopted pursuant to it.

8. California Code of Regulations, title 16, section 1442, states:

“As used in Section 2761 of the code, ‘gross negligence’ includes an extreme departure from the standard of care which, under similar circumstances, would have ordinarily been exercised by a competent registered nurse. Such an extreme departure means the repeated failure to provide nursing care as required or failure to provide care or to exercise ordinary precaution in a single situation which the nurse knew, or should have known, could have jeopardized the client's health or life.”

9. California Code of Regulations, title 16, section 1443, states:

“As used in Section 2761 of the code, ‘incompetence’ means the lack of possession of or the failure to exercise that degree of learning, skill, care and experience ordinarily possessed and exercised by a competent registered nurse as described in Section 1443.5.”

10. California Code of Regulations, title 16, section 1443.5 states:

"A registered nurse shall be considered to be competent when he/she consistently demonstrates the ability to transfer scientific knowledge from social, biological and physical sciences in applying the nursing process, as follows:

"(1) Formulates a nursing diagnosis through observation of the client's physical condition and behavior, and through interpretation of information obtained from the client and others, including the health team.

"(2) Formulates a care plan, in collaboration with the client, which ensures that direct and indirect nursing care services provide for the client's safety, comfort, hygiene, and protection, and for disease prevention and restorative measures.

"(3) Performs skills essential to the kind of nursing action to be taken, explains the health treatment to the client and family and teaches the client and family how to care for the client's health needs.

"(4) Delegates tasks to subordinates based on the legal scopes of practice of the subordinates and on the preparation and capability needed in the tasks to be delegated, and effectively supervises nursing care being given by subordinates.

"(5) Evaluates the effectiveness of the care plan through observation of the client's physical condition and behavior, signs and symptoms of illness, and reactions to treatment and through communication with the client and health team members, and modifies the plan as needed.

"(6) Acts as the client's advocate, as circumstances require, by initiating action to improve health care or to change decisions or activities which are against the interests or wishes of the client, and by giving the client the opportunity to make informed decisions about health care before it is provided."

11. Section 125.3 provides that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FACTUAL SUMMARY

12. During a period including May to November 2004, Respondent was employed as a Registered Nurse at Kaiser Permanente Hospital in Baldwin Hills, California. On or about November 29 - 30, 2004, Respondent was on duty as a Registered Nurse in the Labor and Delivery unit of the hospital. During that time she was assigned to patient Monique M., a 16 year old girl who was in labor.

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- 1 13. The patient presented with indications of a high risk delivery, including:
2 a. the patient was 16 years old;
3 b. the patient's pregnancy was post term;
4 c. the patient presented with oligohydramnios;
5 d. the presence of meconium;
6 e. variable decelerations of the fetal heart rate.

7 14. Due to the high risk nature of the patient, the obstetrician assigned to the
8 case remained close to the delivery room while the patient was in labor. Respondent was present
9 during the active phase of the patient's labor. Respondent delivered the baby without the
10 obstetrician present. The obstetrician was notified after the baby was delivered. The
11 obstetrician arrived in the delivery room within seconds of the notification. At this time,
12 Respondent had already cut the umbilical cord, dried the baby and placed the baby in the
13 warmer.

14 15. On or about May 8, 2004, Respondent was on duty as a Registered Nurse
15 at the hospital, acting as the triage nurse. She evaluated a patient who was pregnant and
16 complained of a spontaneous rupture of her membrane (i.e., her water broke). Without
17 consulting the doctor, Respondent performed a sterile speculum examination on the patient and
18 then failed to inform the doctor she had performed such an examination.

19 FIRST CAUSE FOR DISCIPLINE

20 (Gross Negligence)

21 16. Respondent's license is subject to disciplinary action for gross negligence
22 in violation of Section 2761, subdivision (a), for acting outside the scope of her practice by
23 delivering the baby.

24 SECOND CAUSE FOR DISCIPLINE

25 (Incompetence)

26 17. Respondent's license is subject to disciplinary action for incompetence
27 pursuant to Section 2761, subdivision (a)(1), for the following reasons:

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1 a. Respondent failed to properly formulate a nursing diagnosis as
2 required by California Code of Regulations, title 16, section 1443.5, subdivision (1), in
3 the following respects:

4 (1) Respondent failed to properly formulate a nursing
5 diagnosis of patient Monique M., as being a high risk
6 patient;

7 (2) Respondent failed to properly formulate a nursing
8 diagnosis given the indications of a high risk delivery.

9 b. Respondent failed to properly formulate a care plan to ensure
10 patient Monique M.'s safety and protection, as required by California Code of
11 Regulations, title 16, section 1443.5, subdivision (2).

12 c. Respondent failed to act as patient Monique M.'s advocate by
13 initiating action to improve health care, as required by California Code of Regulations,
14 title 16, section 1443.5, subdivision (6), by failing to ensure that the proper clinicians
15 were present for the delivery.

16 THIRD CAUSE FOR DISCIPLINE

17 (Unprofessional Conduct)

18 18. Respondent's license is subject to disciplinary action for unprofessional
19 conduct pursuant to Section 2761, subdivision (a), based on the facts alleged in Paragraphs 11 to
20 14 and for the following reasons:

21 a. Respondent failed to adequately document her findings and actions
22 in the patient's records.

23 b. Respondent failed to comply with the hospital's policies,
24 procedures and guidelines, including:

25 (1) Respondent failed to notify the NICU charge nurse despite
26 the presence of meconium.

27 (2) Respondent failed to have a neonatologist attend the
28 delivery despite the presence of thick meconium.

(3) Respondent failed to notify the appropriate clinical staff of the delivery.

(4) Respondent acted outside the scope of her practice when she performed a sterile speculum examination on a patient, as stated in Paragraph 15.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number RN 463751, issued to Respondent Irene Ejoile Marah.


2. Revoking or suspending Nurse Practitioner Certification Number NP 14927, issued to Respondent.

3. Revoking or suspending Public Health Nurse Certification Number PHN 53332, issued to Respondent.

4. Ordering Respondent Irene Ejoile Marah to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3.

5. Taking such other and further action as deemed necessary and proper.

DATED: 9/27/07


RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

LA2006601233

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